App. F. IX-4

1955-56
(9TB)

File No. 18 55

Previous References.

9TB. 1-52 - 157

Serial Nos. 4, 56,

Later References.

9TB. 18-55- 415

LLN & CTB 57

MYSORE GOVERNMENT SECRETARIAT

Serial Nos. 3

A 30 (E)

Part B for August 1958

SUBJECT

Disposal of Site No 4 in Block 7
and Site No 7 in Block IV of Kum
Park West Extension.

WD 06701—GPB—25,000—11-8-54

L 5972/22.8.55.

Sri A. Narasimha B.A.,
Special Tenal Acquisition of
Bhadravathi Tunga
Projects.

Informs that no reasons to
interfere with the orders above
passed.

5273

Petn of 15-10-54 from Sri A. Mariappa, re disposal of site No. 4 in Block IV and site No 7 in Block IV of Kumara park

1) orders of the Minister for Lsg:-
"Issue a stay order and call for records"
(sd) T.C.
dtd 27/10.

2) Subt matter with draft letter (After issue, the ~~Assistant~~ of this office will be put up)
29/10.
30

3) Issue
31/10

To: The Chairman, B.T.B.

Sri A
Mrs

R 9469 & 4-11-54
calls for a report.

4) Reminder may be sent up.
46/2

5) Issue V.P.
R No 2 (496) / 55 12-3-55

Letter No. A3. P.R. 705/54-55 dt 20-4-55 from the Chairman, B.T.B. on the subject.

6) The Chairman's letter dt 20-4-55 (page 11) is submitted for perusal. Please see ~~the~~ para 3 of the Chairman's letter dt 20-1-54 (page 35 of the collection B.T.B. No 1-52-157 pothp). According to which, the Trust Board has resolved to take loans in the Vyalikaval extension out of the profits of Sri A. Mariappa for the road portion only. He has not stated now whether

flg 7/

5273
V588

(2) Repr. of Sri. A. Mariappa — disposal of sites in Kumara Park etc.

only land for the road portion was acquired and whether Sri. A. Mariappa was allowed to retain the remaining portion. Information on this point will be called for in the first instance, if approved

Mo 3/5. 4/5

7) Please note below the points urged by Sri A Mariappa in his last application and the reply given by the Chairman against each point

1011

1. Submitted :- Points urged by Sri A Mariappa and reply furnished by the Chairman ITB Bane to each of the point urged by the petitioner are noted below :-

Points urged by Sri A. Mariappa.	Reply furnished by the Chairman city ITB Bane
Though myself and all the members of my family requested repeatedly and to acquire the building Sites belonging to my family the Town Board passed a resolution to the effect that the area has been included in the Vyalikaval Kaval Extension Scheme and my request was rejected.	The Board at a meeting held on 21.12.48 considered the representation and resolved to reject his request as the lands were required for the formulation of Site included in the Vyalikaval Extension Scheme. A Compensation of Rs 3600 per acre with the Conversion fees paid by the party was awarded. and the parties were aggrieved against this and the learned Dist. Judge awarded a compensation of Rs 6- per sq yd.

Representation of Sir A. Mariappa - Disposal of Site in Kumana Park.

Govt has accepted to award a Compensation of Rs 3/- pr Sq yd and the award in excess of this Sum has been questioned by preferring an appeal in the High Court which is pending disposal.

10) Property Coming in all above a lakh of rupees has been acquired by the Trust Board.

Assuming that Sir Mariappa had the option of disposing of the land as Site he would have 3327 Sq yds as total area after reserving 1/3 of the area for Roads etc and even assuming that he would have succeeded in disposing of all the Site at Rs 10/- pr. Sq yd. Which is the maximum rate realised in the area he would have realised a net income of Rs 16,135/- as against Rs 21,068/- paid as Compensation and is much more than what he could reasonably expect to realise. The contention of Sir A Mariappa that he has lost lands worth rupees one lakh is not borne out by facts.

11) Myself and the members of my family applied to the Board for the grant of a Site at upset price to each of the members of my family in the Kumana Park Extention in lieu

It is a fact that these parties pressed application requesting that a Site may be granted to each of them in Kumana Park extention Some mis lands in palace

Representation of Sri A Mariappa – Disposal of Sites in Kemrana Park.

13) It will be quite appropriate to mention some of the recent grant of Sites by the Trust Board to Sri T. Ramaswamy Iyengar and others which are just near or adjacent to my two Sites. The Trust Board could have shown me the same Concession as was shown to other persons of my status by giving one or two Sites at an upset price.

The Several instances quoted by Sri A. Mariappa regarding the Concessions granted by the Board all relate to Sites allotted to parties and there is not a Single instance where upset price has been levied in lieu of the amount bid in an open Sale. There are instances however where the value of Sites after allotment has been reduced after due Consideration on merits (after taking into ~~of~~ account the low level or Rocky nature of the Sites) but in this Case Sri Mariappa purchased both the Sites in public auction being fully aware of rules governing the Sale of these sites.

14) The College Site No 7 which is full of Rocks has been charged at the rate of Rs 21-0 per Sq yd. Where as the adjacent Rear Sites have been charged at Rs 8/- per Sq yd.

In particular College Site No. 7 in Block IV is a Corner Site and the neighbouring Sites Nos 8 and 6 have fetched a price of Rs 14,400/- and Rs 15,350/- respectively.
(Bid amount for Site No 7 is Rs 15,100/-)

15) Site No 4 in Block I more than 3/4 portion of which is about 8 to 10' lower than the Road level has been charged at the rate of Rs 14/- per Sq yd where as Site No 3 which is adjacent to mine has been charged at the rate of Rs 8/- per Sq yd.

Site No 4 has been purchased in public auction. Site No 3 has been allotted by the Board.

5273/588 ml. (6)

Representation of Sri A Manikappa. — Disposal of Site in Kulasa-Park — Extension —

16) Allotting Sites to the displaced persons

Land belonging to late Sri H.C Jayarisah Retired Director of Horticulture was acquired by the Board. His Sons who had attained majority and who were living seperately applied for the Sites. Sites formed on their own lands were given to them on Condition of Payment of Conversion fine and Layout charges and Compensation paid to them. This analogy cannot be made applicable to Sri Manikya as he has neither applied for Site in his own land nor in the same extension in which his land is situated.

17) Sites given to Sri H R. Gurumurthy Reddy and family

According to the Conditions of allotment existing at the time of formation of Layouts it was not usual for the Board to allot a Site to a person already owning a house or Site in Bsk Bnk this restriction was relaxed in respect of Sites measuring more than 1000 Sq yds and Accordingly Sri H R Gurumurthy and members of his family were each allotted sites measuring 100'×150' though they do not displaced site owners S.

5273/588 ml.

Representation of Sri A. Mariappa – Dispose of Sites in Kumara Park.

18) The Petitioner requests that his case may be reconsidered and treated as a special case and the reasonable upset price be fixed for the two Sites or in the alternative to cancel the Sale of one Site and to grant the other Site at an upset price. Finally he has requested to cancel the Sale of the 2 site (if neither of his request can be granted) making a token recovery of a few hundred rupees as has been done in the case of persons who have refused to take up the Site allotted to them at upset prices. for ease.

R
11/6

Mon 18/6.

collection No 2 TB
1-52-157
Mon 13/6.
Submitted: The collection is put up. R 15/6
~~[illegible]~~
Mon 18/6

19) The question for consideration in this case is very simple but the party Sri Mariyappa has honestly attempted to create a ~~[illegible]~~ confusion by bringing in cases which are irrelevant to the ~~[illegible]~~ point at issue. How the cases of So many persons including Sri H.B. Guruva Reddy and Sons, are relevant to the point for decision, one cannot understand. Cases where Sites are given at upset price taking into consideration the low level of those Sites have no bearing whatsoever with a

5273/588 MC ⑧

Representation of Sri A. Mariappa - disposal of Sites in Kacanna Pandu ch

Case in which the party has offered a bid of Rs 35,200/— in open auction but deposited Rs 8000/only and failed to pay the balance of 3/4 th bid amount within the Stipulated time. It passes ones comprehension as to how & why the case of acquiring his lands by the Trust BP can be brought in, in the case of an open auction where he has failed to pay the 3/4 th bid amount, as these two Cases have no relationship to each other and the consequences of both are quite different and distinct. In respect of his Sites said to have been acquired by the Tr. BP, the party get compensation and the matter has been decided by the Court. Therefore, all the arguments adduced by him are only to create confusion and they have to be completely

588/54

Disposal of Site No 4 in Block I and No 2 in Block IV.

Mysore Government Secretariat | File No. of 195 | [App. F. III 2

Kumarapark East 9

Serial No.

ignored.

2) The case has been completely examined vide Paras 26, to 33, 52 to 80 in the file no 1-52-157 placed below. The party has been heard on 24-11-53 and orders passed. Orders were issued giving him three months time to pay the balance of the bid amount in full and stating that if he fails to pay it within that time, the amount of Rs 8000/- deposited by him should be forfeited and the Sites put up for reauction at his risk and that he should be made liable to make good the deficiency, if any, at the resale. These orders had been communicated & the party has failed to pay the balance amount within the time given, the only course open is to forfeit the sum of Rs 8000/- and to auction the sites and hold him responsible for loss.

There are no reasons to interfere with the orders already passed. The stay order may have to be vacated.

Secy (Sen & Dept) 2.5.54

3) A.H.B. may please see as there is no alternative

Minister (H&C) 29.6.55

29.6.55

26.7.55

30.7.55

EDUC. ... 4633 27 JUN 1955 ... GOVT. OF MYSORE

OFFICE OF THE MINISTER FOR PUBLIC HEALTH & LOCAL-SELF GOVERNMENT. 29 JUN 55 No 1557

NOTE. -Contn. slee

Disposal of Site No 4 in Block I.
To Cottage site No 7 in Block II of
5273/588 File No. Kumara Park West Extension of 195

Mysore Government Secretariat

Serial No.

Submitted (23) Dft. endorsement to Sri A. Mariappa and Dft. letter to the chairman city ITDB Bangalore are put up for kind approval

24/ Issue
12/8

R 6/8/58
Mg 8/8

Issued to Sri A. Mariappa, 144, Nettur Nagar, Cross, Bleme chappa
Copy to the chairman city ITDB Bleme
intimating him that the stay was granted
L 5972-3/ ITDB 18-55-57 & 22 87/55

Issued to the Chairman city ITDB Bleme-
intimating that the amount deposited by the party may be forfeited and to pay to Sri the rate in Public Auction holding the party responsible.

L 5974) ITDB 18-55-56 & 22 87/55

Mg R 28/8/58

5273 OCT 1954 MUNICIPAL BRANCH

OFFICE OF THE COMMISSIONER FOR SOCIAL SERVICES Shimoga
28 OCT 19[illegible]
No 1258

A. Mariappa, B.A.,
Special Land Acquisition Officer,
Bhadra and Tunga Projects.

Dated 15th October 54.

To

The Minister for Local Self Government
and Public Health in Mysore,
BANGALORE.

SECRETARIAT 28 OCT 1954 L.S.G. DEPARTMENT

Sir,

Subject: Disposal of site No.4 in Block I Cottage site No.7 in block IV of Kumara Park West Extension.

-:::-

LSG. Secy
Issue a stay order & call for records
27/10/54
1-52-157

The Chairman, Bangalore City Improvement Trust Board has intimated me in his letter No.A3.P.R.705/54-55 dated 30th September 1954 that Government have ordered in their Letter No.L.7854/I.T.B. 1-52-157 dated 28th September 1954 that the deposit amount of Rs 8800/- in respect of the two sites purchased by me in auction sale may be forfeited and the sites resold in public auction within one month holding me responsible for the loss the Board may sustain on account of resale etc., I beg to submit for reconsideration of Government a brief history of the facts of the case which are as follows:-

file & Charge 47 & the other

The members of my family viz., myself, Srimathi A.M. Sarojamma, my wife; A.M.Satyanarayana and A.M.Ramamurthy, my two sons; and Srimathi M.H.Kamalamma my daughter, were the owners of Municipal sites bearing Municipal Nos.476/1, 476/2, 476/3, 476/4, 476/5, and 476/6 measuring 1273, 950, 933, 815, 447, 422 square yards and assessed at Rs.13-10-9, Rs.12-7-7, Rs.12-3-6, Rs.9-7-0, Rs.5-14-6 and Rs.5-14-6 respectively in Palace Guttahalli, Bangalore city costing in all about a lakh of rupees. Though myself and all the members of my family requested repeatedly not to acquire the Building sites belonging to my family, the Trust Board passed a

resolution in its meeting held on 21-12-48 (copy enclosed) to the effect that as the area had been included in the Vyali Kaval Extension scheme my request be rejected.

Thereupon myself and the members of my family applied to the Board for the grant of a site at upset price to each of the members of my family in the Kumara Park Extension in lieu of our sites acquired by the Trust Board. As no replies were received to our representations for a very long time I submitted another application to the Board on 30-3-1950, requesting for the grant of atleast two sites at upset price in the Kumara Park Extension in lieu of the two sites acquired from me and other members of my family and went and represented the whole case to the Chairman who was kind enough to recommend my case to the Board for the grant of two sites. A few days later, I received a reply endorsement No.1403/50-51 dated 15-6-1950(copy enclosed) intimating me that amy application was placed before the Board for consideration at its meeting held on 29-4-50 and that the Board resolved that it was not in favour of grant of any site to me since it was understood that I had several properties in Bangalore.

In reply to the above endorsement I submitted another representation to the Board on 16-9-1950 intimating that the information the Board has about me was not correct and that the Board had allotted sites and houses to several gentlemen referred to in my letter, inspite of the fact they owned houses in Bangalore City and requested for the grant of at least two sites to me at upset price in lieu of the sites acquired from my family. The said representation does not seem to have been considered by the Board so far.

When the reasonable requests of the members of our family for grant of sites at upset price were not complied

(3)

with and when all the remaining sites formed in the Kumara Park Extension were advertised for sale in public auction, the members of our family having lost all the sites we had, became desperate as there was no course open to us to acquire sites for housing purposes and I was forced to offer bids in public auction, only with a view to have these two sites reserved without being disposed, of, so that I may request the Trust Board to allot these two sites to us at a reasonable upset price. It may look that the method adopted by me to get these two sites reserved was not correct, but, in this connection I may kindly be permitted to bring to the kind notice of Government the anxiety and the state of mind of a person who had lost almost the entire property of a family viz., six big sites valued at about a lakh of rupees and who had been intimated by the Trust Board that the Board is not in favour of grant of any site to him. Thus I have explained in detail the circumstances under which I was forced to offer bids for these two sites in public auction.

The main objects of the Bangalore City Improvement Trust Board is to provide housing facilities for the citizens of Bangalore. I am one of the citizens of Bangalore and in addition to this our family has been dispossessed of six big building sites by the Trust Board itself. As such more than all other persons preference should have been shown to my family in the allotment of sites, when the Trust Board have allotted thousands of sites and houses to thousands of people and to several officers of my status at upset price, it is unfortunate that my case alone has been singled out and the Trust Board wants to extract a pound of flesh from me for having offered bids in the public auction on account of the force of circumstances already explained.

(4)

Instances are also not wanting wherein sites have been granted to persons in exchange as in the case of Sri B.Subbaiah, Munisff, who owns several properties in Bangalore and wherein sites have been granted to officers who already own houses in Bangalore as in the cases of Sriyuts K.Balasubramanyam, Deputy Commissioner, R.A.Sampath Iyengar, Executive Engineer, A.S.Keshavamurthy, Assistant Engineer and several other officers. The Trust Board could have shown me the same concession as was shown to other officers of my status by granting one or two sites at an upset price. It will be quite appropriate to mention some of the recent grants of sites by the Trust Board to the following gentlemen at the following rates per square yard which are just near or adjacent to my two sites.

Sriyuts:

P.Mariyappa, Electrical Department	Rs.3/-Per sq.yd.
V. Hanumanthappa, Assistant Secretary to Government	Rs.4/- "
Mankyam	Rs.5/- "
T. Ramaswamy Iyengar, Superintending Engineer.	Rs,5/-(just adjacent to my site No.4)

In this connection I may kindly be permitted to mention that no question of loss of money to the Trust Board arises in this case in view of the fact that if I had not been forced in the circumstances explained above to offer bids and purchased these two sites in public auction these two sites or some other two sites that have been sold then, would have remained unsold, as the auction of the remaining big sites was stopped for want of bidders.

In conclusion, as patent injustice has been done to me by the Trust Board,

1) in having refused to grant at least one or two big sites at upset price thus frustrating its main object of providing housing facilities, though the Trust Board itself has acquired six big sites valued at about a lakh of rupees belonging to the members of our family and

(5)

2) in view of the fact that no course was open to us to get the sites except by offering bids for them in auction sale as we had become desperate by the loss of our valuable property and

3) in view of the fact that no question of loss to the Trust Board arises in this case as explained above,

4) that so many officers and officials of my status have been shown concessions by granting sites at upset ppices as referred to,

5) that cottage site No.7 which is full of rocks has been charged at the rate of Rs.21-9-0 per square yard where as the adjacent rear sites have been charged at Rs.8/- per square yard,

6) that site No.4 in block I, more than ¾ portion of which is about 8 to 10 feet lower than the road level has been charged at the rate of Rs.14/- per square yard where as site No.3 which is adjacent to mine and which has been granted to Sri T.Ramaswamy Iyengar, Superintending Engineer, has been charged at the rate of Rs.5/- per square yard,

I request that my case may kindly be reconsidered and treated as a special case and reasonable upsept price be fixed for the two sites referred to above so that I may arrange to pay up the balance amount or in the alternative one of the sites for which I have offered bids may kindly be granted to me at an upset price, cancelling the sale of the other site. If neither of my request can be granted I request that the sale of the two sites may kindly be cancelled making a token recovery of a few hundred rupees from me for the mistake of having offered bids in public auction as has been done in the case of persons who have refused to take up the sites allotted to them at upset prices.

As the Trust Board have intimated me that they are going to notify the sites for resale, I request the orders of Government conveyed to the Trust Board in their order No.L.7854-ITB 1-52-157 dated 28-9-54 may kindly be stayed pending reconsideration of my case. I submit that spot inspection will clarify the whole matter and the date of spot inspection

(6)

may kindly be intimated to me so that I may also be present to explain the facts of the case.

Yours faithfully,

Amaiabba

C-Pio
Cor
1/11/54

(7)

Copy of letter No.3210/48-49 dated 13th January 1949, from the City Improvement Trust Board, 'Rang Vilas' Sheshadrai Road, Bangalore, to ~~the~~ Sri.A.Mariappa, B.A., Special ~~Amildar~~, Bangalore Taluk.

-:::-

With reference to your letter dated 10-7-1948 requesting that sites Nos.476/1, 476/2, 476/3, 476/5, 476/6, belonging to you in Vyali Kaval area be left out of acquisition, I wish to inform you that the letter was placed before the Board at its Meeting held on 21-12-1948 for consideration.

The Board having considered the same, it was resolved that as the area had been included in Vyali Kaval Extension scheme, your request be rejected.

'COPY'

(8)

Copy of letter No.1403/50-51 dated 15th June 1951, from the Chairman, City Improvement Trust Board, Bangalore to Sri A.Mariappa, Amildar, Bangalore South Taluk, Bangalore city.

-:::-

With reference to your application dated 30-3-1950, requsting for grant of site at upset price in Kumara Park West Extension on the ground that you have been deprived of your sites in Palace Guttahalli consequent on the acquisition for the formation of a lay-out in the area, I wish to inform you that your application wasplaced before the Board for consideration at its meeting held on 29-4-50 when the Board resolved that it was not in favour of grant of any site to you since it was understood that you had several properties in Bangalore.

'COPY'

Re:- Disposal of site No. 4 in Block I and site No. 7 in (9) Block IV of Kumara Park

L 9469/E1

4-11-54

To,

The Chairman, C.I.T.B, Bangalore.

Sir,

I am directed to send herewith for a report together with relevant records, a copy of petition dt 15 10/54 received from Sri. A. Narasappa on the above subject.

Pending issue of final orders, further proceedings in the matter may be stayed.

Yours faithfully

Asst Secy

Sir
11/11/54

L 9469/E1

(10)

Bg 4-11-54

The Chairman,
City Improvement Trust Board,
Bangalore.

Subject: Disposal of site No.4 in Block I and site No.7 in Block IV of Kumara Park.

- - -

I am directed to send herewith for a report together with the relavent records, a copy of petitior dated 15th October 1954 received from Sri A. Mariappa, on the above subject.

Pending issue of final orders, further proceedings in the matter may be stayed.

Yours faithfully,

Asst. Secretary to Government,
L.S.G. & Planning Departments.

knr-2/1.11

C. F. No. 45]

GOVERNMENT OF MYSORE

Telegram / phone

OFFICE OF The Chairman, City Improvement Trust Board, Bangalore.

No. A3-P.R.705/54-55 records

Encls.

Date 19th April 1955.

To

The Secretary to Government,

Local Self Government and Education Departments,

Bangalore.

Sir,

Subject:- Disposal of site No.4 in Block I and Site No.7 in Block IV of Kumarapark West Extension.

With reference to your letter No.L.9469/E1 dated 4-11-1954 forwarding a copy of the representation dated 15-10-54 received from Sri A. Mariappa for a report on the above subject, I write to state as follows:-

The representation of Sri A. Mariappa consists of two - - issues viz., (1) The Acquisition of lands belonging to him in Palace Guttahalli consequent on the formation of Vyalikaval Extension and (2) Purchase of two sites in Public Auction by Sri A. Mariappa in Kumarapark West Extension.

As regards the first Sri Mariappa submitted a representation on 10-7-1948 that his lands be left out of acquisition. The Board at a meeting held on 21-12-48 considered the representation and resolved to reject his request as the lands were required for the formation of sites included in the Vyalikaval Scheme. As a result an extent of nearly one acre of land was acquired from Sri Mariappa and other members of his family as noted ~~in the margin~~ overleaf and a compensation of Rs.3,600/- per acre with the conversion fine paid by the Party was awarded. Against this Sri Mariappa and others went in appeal and the learned Ist Additional District Judge awarded a compensation of Rs.6/- per Sq.Yd. As suggested by Government in their Order No.L.7854/I.T.B.1-52-157 dated 28-9-54 Rs.3/- per Sq.Yd.has been accepted and the award in excess of this sum has been questioned by preferring an appeal

P.T.O.

(T2)

in the High Court which is pending disposal. The accepted award at the rate of Rs.3/- per Sq.Yd.amounting to Rs. 21,068-7-0 as detailed in the margin has also been paid to the parties.

Name of the claimants.	Extent in Sq.Yds.	Enhanced award passed by the Dist. Judge at Rs. 6/- per Sq.Yd.	Statutory Allowance.	Total.	Amount paid.
1.Sri A. Mariappa.	1695	10170/-	1525-8-0	11695-8-0	10297--2--0
2."A.M.Satyanarayana.	933	5598/-	855-0-0	6453-0-0	3195--4--0
3."A.M. Rama Murthy.	815	4890/-	840-0-0	5730-0-0	2791--6--0
4.Smt.A.M. Sarojamma.	950	5700/-	733-8-0	6433-8-0	3253-10--0
5.Smt.M. Kamalamma.	447	2682/-	402-0-0	3084-0-0	1531--1--0
Total.	4840	29040/-	4356-0-0	33396-0-0	21,068--7--0

The contention of Sri A. Mariappa that he has lost lands worth rupees one lakh is not borne out by facts. Assuming that Sri Mariappa had the option of disposing of the land as sites he would have 3327 Sq.Yds. as sital area after reserving 1/3 the total area for roads etc., ~~xx~~ and even assuming that he would have succeeded in disposing of all the sites at Rs.10/- per Sq.Yd. which is the maximum rate realised/Rs.33270/- as against layout charges at Rs.5/- per Sq.Yd. and the net income would only be Rs.16,135, in the area he would have realised as against the compensation now paid is Rs.21,068/- and is much more than what he could reasonably expect to realise.

It is a fact that these parties presented an application on 21-2-1951 requesting that a site may be granted to each of them in Kumarapark Extension since their lands in Palace Guttahalli were acquired by the Board. According to the rules existing then, the Board was not in favour of granting sites to persons who owned houses or sites in the Trust Board area in Bangalore. Moreover these parties were

urging for grant of sites only in Kumarapark - - Extension. As the Board understood that the parties owned several properties in Bangalore, it was resolved on 29-4-1950 that they could not be granted sites. Besides the agitation of these parties was that sites should be given to them in Kumarapark Extension only which the Board was not bound to consider. Sri A. Mariappa has furnished a list of properties held in Bangalore and it is seen clear that the parties possess sufficient - - number of buildings in Bangalore though not houses or house sites.

During the auction sale of sites held in May 1951 in Kumarapark West Extension the Board derived very good income by Public Sale of sites. The bids were very good and Sri A. Mariappa purchased two sites on 26-5-51 viz., (a) One Bungalow site No.4 in Block I of Kumarapark West for Rs.20,100/- and (b) Cottage site No.7 of Block IV of Kumarapark West Extension for - - Rs.15,100/- respectively. His representation now is that the sites may be granted to him at a reasonable upset price. The sites purchased by him in Public Auction are situated in the heart of Kumarapark Extension where the neighbouring sites have fetched very good price to the Board. In particular cottage site No.7 in Block IV is a corner site and the neighbouring sites viz., site No.8 and 6 have fetched a price of Rs.14,400/- and Rs.15,350/- respectively. Such being the case Sri Mariyappa's contention that the Board would not lose in case upset price is fixed for these sites is not tenable. The several instances quoted by Sri A. Mariappa regarding the concessions granted by the Board all relate to sites allotted to parties, and there is not a single instance where upset price has been levied in lieu of the amount bid in an open sale.

(14)

There are instances, however where the value of sites after ~~xxx~~ allotment has been reduced after due consideration on merits but in this case ~~as~~ Sri Mariappa purchased both the sites in public auction being fully aware of the ~~sites~~ rules governing the sale of these sites.

The instances quoted by Sri A. Mariappa relating to the grant of concession in respect of sites allotted by the Board are noted ~~in the margin~~ below and in all these cases the Board has reduced the rates after taking - - into account the low level or rocky nature of the sites. All these are cases of allotment and not of purchase in open auction.

Sl No.	Name of allottee.	Site No.	Block No.	Rate.
1	Sri T. Ramaswamy Iyengar.	3	I	Rs.5/- per Sq.Yd.
2.	P.Mariappa.	E1	I	Rs.3/- "
3.	V. Hanumanthappa	E2	I	Rs.4/- "
4.	T. Manikam	E3	I	Rs.5/- "

As regards allotting sites to the displaced - - persons referred to in the penultimate para of his letter dated 11-12-1954, land belonging to Late Sri H.C.Javariah Retired Director of Horticulture was acquired by the Board. His sons who had attained majority and were living all - - separately applied to Government for grant of sites. Sites formed on their own lands were given to them on condition of payment of conversion fine and layout cnarges and compensation paid to them. This anology cannot be made applicable to Sri Mariappa as he has neither ~~taken~~ applied for sites in his own land nor in the same Extension in which his land is situated.

Regarding sites given to Sri H.R.Guruva Reddy and family adverted to in the same para it may be stated that according to the conditions of allotment existing at the time

(15)

of formation of layouts it was not usual for the Board to allot a site to a person already owning a house or site in Bangalore. But this restriction was ~~released~~ relaxed in respect of sites measuring more than 1000 Sq.Yds. and accordingly Sri H.R. Guruva Reddy and Members of his family were each allotted sites measuring 100'x150' though they are not displaced site owners.

The relevant records as called for ~~is~~ are enclosed for reference and return when done with.

Yours faithfully,

D.R. Chennarudraiya

(D.R. Chennarudraiya)
Chairman.
19/4/55.

Ksr.

M. G S. App. F. G. 3]

MYSORE GOVERNMENT

SECRETARIAT.

(*Continuation sheet draft form*).

Address given by the party

No. L. 5972/LTB. 18-55-57
D. 22/8/55

16

Endorsement granted to

Sri A. Mariappa BA.

Special Land Acquisition Officer

Bhadra and Tunga Projects

No. 144 Nehru nagar Bl. Quarters

Subject:— Disposal of site No 4 in Block I - Cottage Site No 7 in Block IV of Kumara Park West Extension.

With reference to his petition dated 15. 10. 54 Sri A. Mariappa is hereby informed that there are no reasons to interfere with the orders already passed. ~~Stay order is vacated~~ ~~The stay order is vacated~~

The chairman ~~of~~ BTB Board has been requested to forfeit the ~~deposit~~ amount of Rs 800/- deposited ~~by him~~ and to auction the site and hold the ~~party~~ bidder responsible for the loss.

In order whether this may be communicated to him

for Secy Edn & Labour Depts

Dy Secy Edn & Labour Depts

R 6/8/55

P T O

P T O

WD 04860—GPB—40,000—22-1-54

Memo. No. L. 5973 - 8/22/55

Copy to the chemical city

USB. Bangalore for

information and forwarding

[illegible] 1218

for Secy Edu & Lds Dept

[illegible] 8/55

GOVERNMENT OF MYSORE. 18

General and Revenue Secretariat;

No. L. 5972/9TB. 18-55-57 *Dated Bangalore,* 22/8/1955.

ENDORSEMENT.

To

Sri A.Mariappa, B.A.,
Special Land Acquisition Officer,
Bhadra & Tunga Projects.
No 144 Nehru Nagar Bangalore city

Subject:- Disposal of site No. 4 in Block I - Cottage Site No. 7 in Block IV of Kumara Park West Extension.

-:-

With reference to his petition dated 15-10-1954, Sri A.Mariappa is hereby informed that there are no reasons to interfere with the orders already passed. Stay order is vacated.

Sd/- ...
(V.Hanumanthappa)
For Secretary to Government,
Education & L.S.G.Departments

HGN.3/18-8.

D. 22/8/55

Memo No.L. 5973

Copy is forwarded to the Chairman, City Improvement Trust Board, Bangalore, for information and further needful action.

(V.Hanumanthappa)
For Secretary to Government,
Education & L.S.G.Departments.

M. G. S. App. F. G. 3]

MYSORE GOVERNMENT

SECRETARIAT.

(*Continuation sheet draft form*).

NL.5974/STB.15-55-56/9
D.22/8/55 W/R

To

The Chairman, City STB Bangalore

Sir,

Subject:- Disposal of Site No 40 in Block I and Site No 7 in Block IV of Kumara Park West Extension.

Reference:- Your letter No A3.Re 705/54-55 dated 19/20.10.55

I am directed to state that since the party has failed to pay the balance amount within the time given, the amount deposited by Sri A. Narasappa may be forfeited and the Site may be put to auction and he held responsible for the loss.

The stay order is vacated

~~Orders of Govt have been~~

~~Communicated to the Party~~

Records are returned herewith

Yours faithfully

Sd/-

for Secy to Govt

Dy Secy

Sd/- 26/8/55

WD 04860—GPB—40,000—22-1-54

20

No.L.5974/9TB.18-55-56.
D.22/8/55 WIR.

The

Education & L.S.G.Departments.

The Chairman
City Improvement Trust Board,
Bangalore.

Sir,

Subject:- Disposal of sitex No.4 in Block I and site No-7 in Block IV of Kumara Park West extension.

--

Reference:- Your letter No.A3.P.R.705/54-55 dated 19/20-4-55.

**

I am directed to state that since the party has failed to pay the balance amount within the time given the amount deposited by Sri A.Mariappa may be forafeited and the sites may be put to auction and hold him responsible for the loss.

Records are returned herewith.

Yours faithfully,

(V.Hanumanthappa)
For Secretary to Government,
Education & L.S.G.Departments.

nGN.2/18-8.